

FARMINGTON CITY COUNCIL MEETING

Wednesday, December 7, 2005

CITY COUNCIL WORK SESSION/EAST CONFERENCE ROOM

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, George Ramjoue of Wasatch Front Regional Council, Shauna Burbidge of Envision Utah, City Council Member-elect Paula Alder, and Recording Secretary Jill Hedberg.

Mayor Connors began discussion at 6:15 P.M. The following items were reviewed:

George Ramjoue said the Wasatch Front Regional Council and Envision Utah partnered to create the Growth Principles and Vision report which he passed out to the City Council members. He said long range regional transportation plans are traditionally done by determining the City's land use which is then combined with the land uses of other cities to create a regional plan. He showed the congestion levels using the Regional Transportation Plan for 2005 Congestion and 2015 Congestion. He said regardless of which Vision is chosen, the congestion will continue to get worse so a creative solution needs to be found. He said resources are diminishing since travel is growing more rapidly than the population growth.

Shauna Burbidge outlined the process that had taken place thus far which included 13 public workshops, consideration of public input, and creation of three alternative visions for the future. The three alternatives focused on the following: 1) Heavy focus on roads; 2) Large mix of facilities; 3) Heavy transit.

She reviewed the Growth Principles and Vision Report which included the following:

Growth Principles and Objectives

1. Provide Public infrastructure that is efficient and adequately maintained
2. Provide regional mobility through a variety of interconnected transportation choices
3. Integrate local land-use with regional transportation systems
4. Provide housing for people in all life stages and incomes
5. Ensure public health and safety
6. Enhance the regional economy
7. Promote regional collaboration
8. Strengthen sense of community
9. Protect and enhance the environment

Shauna Burbidge said the Vision was based on final survey results, steering committee voting, meetings with planners from across the region, and ideas that were incorporated from workshops.

George Ramjoue showed the translation of how the Growth Principles could be expressed on the ground. The map included the town centers in Davis County. He said all of the centers would be connected by transportation facilities.

If the proportion of mixed use is increased from 4 to 13 percent in new growth, there will be 18% less congestion, 12% more transit use and 23 fewer square miles of land consumption.

The balance between jobs and housing is now at a level 6. If building continues to increase, the job/housing balance will decrease to a 3 which means the majority of the employees will leave the city for work. The Vision draft would provide a better balance.

Mayor Connors said 50% of residents leave the County daily for employment. Employment centers need to be developed so people don't have to travel outside of their city for work.

George Ramjoue said the Vision will not advocate away from single family development. It will allow housing in every type price range. He asked that the City Council decide whether the City should use the current land use plans, the Vision, or a combination of the two.

Mayor Connors said Farmington City will not resist the Growth Principles because they want to provide "smart planning" in the community.

George Ramjoue said it would be beneficial to have a Resolution of Endorsement from the City or a letter signed by the Mayor stating the City's position.

Sid Young said the residents made it clear that they want the BRT alignment to be the Frontage Road.

The meeting relocated to the kitchen at 6:45 P.M. and the following items were discussed:

Agenda Item #10 - CR Estates Plat Amendment Request - J.R. Warner: David Petersen said he walked the site and determined that if the lot was undivided, the Day family could actually infringe on the adjacent property. If City's fire codes are met, the City should not deny the plat amendment. The City Attorney said the City Council should consider material damage or good cause when making their decision. He also said it is reasonable to grant the applicant an open space waiver since it is allowed within the City's Ordinance. **Mr. Petersen** said the issue being considered is lot size, not the placement of the home. City Staff recommended approving the plat amendment.

The work session adjourned at 7:00 P.M.

REGULAR CITY COUNCIL/CITY CHAMBERS/CALL TO ORDER

PRESENT: Mayor David M. Connors, Council Members Richard Dutson, David Hale, Larry W. Haugen, Susan T. Holmes, Sidney C. Young, City Manager Max Forbush, City Planner David Petersen, City Recorder Margy Lomax, Recording Secretary Jill Hedberg, and Youth City Council Mayor Johnny Creager.

Mayor Connors called the meeting to order at 7:10 P.M. **Susan Holmes** offered the invocation. The Pledge of Allegiance was led by Boy Scouts **Garret Bushman** and **Tyler Parkin**.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Rick Dutson moved to approve the minutes of the November 16, 2005, City Council Meeting. **Larry Haugen** seconded the motion. **Mayor Connors** abstained due to his absence at the previous meeting. The voting was unanimous in the affirmative.

SNOW REMOVAL POLICY REVIEW (Agenda Item #3)

Walt Hokanson said he wanted the City Council to be aware of the different problems the Public Works department is facing. He explained how the department is run and said due to the growth of the City and new laws, the snow service can not be handled the way it was in the past. He said the rotation time for the snow removal has increased. He asked for the support of the City Council when responding to resident's questions or complaints.

Mr. Hokanson said a meeting was held with Carl Parker of URMMA. Mr. Parker said it was a risk for the City to provide snow removal for the City's trails. He suggested that signs be placed stating that the trails are closed. He asked the City Council to determine if the risk was worth taking.

Mayor Connors said he felt the City should continue to plow the trails since it was a service to the residents.

REPORT OF PLANNING COMMISSION (Agenda Item #4)

There was not a Planning Commission report due to the Thanksgiving holiday.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AMENDING THE TRANSPORTATION IMPACT FEE ANALYSIS AND AMENDING THE TRANSPORTATION IMPACT FEE RATES (Agenda Item #5)

Max Forbush said since spring 2005, City Staff began working on a Transportation Capital Facilities Plan. Staff representatives included the City Engineer, the City Attorney, David Petersen and himself. Rosenthal and Associates was retained to help develop the Plan and do the impact fee analysis. The Plan that was developed listed forty projects throughout the City that likely would be constructed over the next 25 years. The projects would be designed to handle the extra growth and increase in traffic. The projects total \$56 million which would be mostly funded by developers and UDOT. He said roadways with two lanes of traffic and up to a 55' right of way are considered "project improvements" which are funded by developers. Roadways that have a right of way that is greater than 55' are classified as "system improvements" and are funded by impact fees.

Mr. Forbush recommended that the transportation impact fee be established and assessed under seven different categories which would be based on trip generation. The seven categories would include single family housing, multi-family housing, hotels, commercial, office, institutional, and industrial. He reviewed the recommended Fee Structure on page 1 of the Impact Fee Analysis and New Development Capital Facilities Plan and page 16 which listed the 40 projects. Rich Haws has provided written comments that recommended that the City wait to adopt the Ordinance until the actual costs could be determined but **Mr. Forbush** recommended that it be adopted since the guidelines for adapting the Transportation Capital Facilities Plan and Impact Fee Analysis authorized by the State Legislature were followed in Mr. Rosenthal's study. The cost of the study was several thousand dollars and the Governing Body had authorized the study because it was deemed necessary and essential to keep up with unprecedented growth being experienced by the City.

Public Hearing

Mayor Connors opened the meeting to a public hearing.

Public Hearing Closed

With no forthcoming comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Motion

Susan Holmes moved that the City Council adopt ORDINANCE NO. ___, AN ORDINANCE ADOPTING A TRANSPORTATION IMPACT FEE ANALYSIS AND TRANSPORTATION IMPACT FEES ON DEVELOPMENT ACTIVITIES WITHIN FARMINGTON CITY, UTAH. **David Hale** seconded the motion.

David Hale said the City needs to determine an equitable way to pay for transportation improvements rather than impose the total costs on it's citizens. He believed the costs

represented in the study were realistic and responsible.

Max Forbush said the transportation impact fee unit rates on commercial development is based on a per 1,000 square feet of developed space. In other words, if a commercial building was 10,000 square feet, the commercial rate would be multiplied by ten. He said the amount is costly but commercial use generates significantly more traffic than does residential use. He suggested that credits be used to assist the developers when and if it is justified.

Mayor Connors asked Youth Council Mayor Johnny Creager what he thought.

Johnny Creager said although it makes sense for the developers to pay their share of the costs, such fees may also be a deterrent to commercial development.

The motion passed by unanimous vote.

PUBLIC HEARING: CONSIDERATION OF ORDINANCE AND PLAT ANNEXING 18.10 ACRES OF PROPERTY OWNED BY PACIFIC AVENUE, LLC, AND SYMPHONY HOMES LOCATED SOUTH OF 1470 SOUTH AND BETWEEN THE I-15 FRONTAGE ROAD AND S.R. 106 (200 EAST) AND ZONING THE SAME PROPERTY “LR” AND “AA”

PUBLIC HEARING: CONSIDERATION OF ORDINANCE REZONING ADJACENT PROPERTY (4 ACRES), OWNED BY PETITIONERS, CURRENTLY WITHIN CITY LIMITS FROM “A” TO “LR”;

PUBLIC HEARING: CONSIDERATION OF SCHEMATIC PLAN APPROVAL ON THE PROPERTIES BEING ANNEXED, ZONED AND REZONED - SYMPHONY HOMES (Agenda Item #6)

David Petersen displayed the Vicinity Map and said the Planning Commission recommended that the property be annexed into the City. The Planning Commission recommended that the property below the 4218 line be zoned AA. He read the following statement which states the Planning Commission’s reason for allowing the exception:

Notwithstanding that portions of the subject property east of the old Bamberger right-of-way are below 4218, the owner should be allowed to fill this area only, to equal or exceed this elevation, because it is the only potential residential area in the City (or in the City’s expansion are) below this elevation that is protected by a dike or levee- the old Bamberger right-of-way. The property also enjoys other impediments to flooding that other properties in west Farmington, for example, do not have. In addition to the old rail road right-of-way, other “levees” include the wide I-15 corridor, UP tracks, the UTA tracks, and the old “haul” road (or cattle/sheep road). Furthermore, the amount of fill required to raise the elevation of the property east of the Bamberger right-of-way to 4218 is very negligible.

Mr. Petersen showed the Schematic Plan for the property east of the Bamberger right-of-way which has lots that are at least 1/4 acre. The land below the Bamberger right-of-way will be left as open space and will house the regional detention basin. The Planning Commission recommended granting Schematic Plan approval and zoning the property LR which is consistent with the General Plan.

Public Hearing

Mayor Connors opened the meeting to a public hearing and invited the applicant to address the Council.

Randy Klein (1713 Sweetwater Lane in Farmington) asked where the trail would be located.

David Petersen explained the two possible trail locations. He said a wider sidewalk would be included along the Frontage Road so a trail may not be necessary. City Staff and the Planning Commission recommended that a trail easement be included.

Tony Coombs (33 South Shadowbreeze Road, Kaysville) showed a topographical map which showed the different elevations of the property. He said their wetlands engineer submitted a study to the Army Corp of Engineers which will determine how they will handle the existing wetlands. He said Symphony Homes will provide the City's detention basin.

Kayla Grace (1605 South 200 East) asked that the trails be preserved and be made accessible since it can be difficult to access the foothills. She said the Tuscany Homes development did a poor job of providing access to the trails and open space.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

David Petersen said he thinks the trails will be adequate since the developer is willing to provide a trail at either location.

Motion

David Hale moved that the City Council annex 18.10 acres of property, owned by Pacific Avenue, LLC, and Symphony Homes located south of 1470 South and between the I-15 Frontage Road and S.R. 106 and zoning the same property "LR" and "AA". **Rick Dutson** seconded the motion which passed by unanimous vote.

Motion

David Hale moved that the City Council rezone the adjacent property (4 acres), owned by petitioners, currently within the City limits from “A” to “LR”. **Larry Haugen** seconded the motion which passed by unanimous vote.

Motion

Rick Dutson moved that the City Council grant Schematic Plan approval on the properties being annexed, zoned and rezoned. The trail should be located on the Bamberger right-of-way or to the west of the Bamberger right-of-way. The City Council agreed with the Planning Commission’s reason for allowing the area to be filled (see above). **Larry Haugen** seconded the motion which passed by unanimous vote.

PUBLIC HEARING: SCHEMATIC PLAN CONSIDERATION FOR HASKELL HOMES ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF LUND LANE AND THE I-15 FRONTAGE ROAD - GUY HASKELL (Agenda Item #7)

David Petersen said Mr. Haskell’s property was annexed and rezoned to LR. Mr. Haskell submitted a Schematic Plan to the Planning Commission that was denied. Several other Schematic Plans had since been considered. Mr. Haskell was now requesting Schematic Plan approval for a 4 lot subdivision with a lot split, although it would make it difficult to improve the Frontage Road area. **Mr. Petersen** said the Schematic Plan that included the cul-de-sac and 5th lot was the preferred plan.

Public Hearing

Mayor Connors opened the meeting to a public hearing and invited the applicant to address the Council.

Guy Haskell said he did not think the plan that included the cul-de-sac and 5th lot would be possible since it would require a significant amount of fill dirt. He has since found a source for the dirt so he would like to proceed with the 5 lot Schematic Plan.

Randy Klein asked where the trail would be located.

David Petersen said the trail would be located along the edge of the Frontage Road. A bike path would not be possible due to the location of the existing sound wall and berm. He said the City would be responsible for the sidewalk and the developer would be responsible for the berm and sound wall. He said **F.J. Parker** said he was not comfortable with the subdivision since it would be located near his horse property.

Public Hearing Closed

With no further comments, **Mayor Connors** closed the public hearing and asked the City Council for their consideration.

Sid Young asked if the 5 lot proposal had been reviewed by the Planning Commission.

David Petersen said the Planning Commission favored the 5 lot plan but had already voted on the flag lot proposal. He said the recommendation given by the Planning Commission in a letter to Mr. Haskell dated October 3, 2005, was still valid except for item #2. He said the development would require an Interlocal Agreement.

Motion

Sid Young moved that the City Council approve the Schematic Plan subject to the following plan modifications:

1. Provide a 50-foot transition/buffer area adjacent to the Frontage Road running the full length of the property.
2. Access to all lots must meet fire code standards as administered by the Farmington Fire Department.
3. Developer shall improve the Lund Lane frontage and extend all related utilities. Improvements shall include but not be limited to asphalt extension, curb and gutter and sidewalk, and extension of the culinary water line.
4. Provide a berm and wall within the 50-foot transition area to mitigate noise from I-15 and the Frontage Road.
5. It is recommended that the City provide the improvements including curb, gutter, sidewalk and any asphalt extension along the Frontage Road side of the subdivision.
6. The developer shall provide current UDOT rules and regulations regarding noise mitigation. In other words, what noise mitigation improvements is UDOT responsible for, if any, in the event I-15 is increased in size to accommodate additional capacity?

Rick Dutson seconded the motion which passed by unanimous vote.

FURTHER DISCUSSION REGARDING AT-GRADE INTERSECTION/CONTINUOUS

FRONTAGE ROAD AT 400 WEST STATE STREET - MAX FORBUSH, DAVID PETERSEN, RON MORTIMER (Agenda Item #8)

Max Forbush said the discussion was a continuation from the November 16, 2005, meeting. A petition and an idea that was submitted by the West State Street property owners was included in the packet. Mr. Cory Pope, Region 1 UDOT Director, informed Mr. Forbush that the concept seems like it would work but UDOT did not have the funding. **Mr. Forbush** passed out letters from the Fire Chief and from the PTA.

Ron Mortimer displayed an aerial photo of the road alignment.

Mayor Connors asked what alignment the PTA preferred.

Mr. Barney said the PTA preferred the alignment that was shown in Mr. Mortimer's aerial photo.

Mr. Mortimer discussed the South Interchange at the Frontage Road and State Street. He said the intersection is at-grade and would provide continuity from the freeway system to the west side. He recommended eliminating the roundabout if Option 2 was preferred. The traffic would be handled by the Frontage Road rather than by 200 West.

David Hale said he thought the alternative with the south interchange and a through Frontage Road would be a good choice.

Susan Holmes asked what the timing would be for the fire department to respond to a call.

Larry Gregory said depending on the time of day and traffic conditions, it could take up to five minutes.

Ron Mortimer reviewed Option 1 and said a semi-four would be required at one of the intersections. He said UDOT was not opposed to the State Street at-grade intersection but was concerned about the additional cost.

Rick Dutson said he was concerned about the life safety issues. He asked when the overpass would be built.

Mayor Connors said the overpass would be built by 2008.

Larry Gregory said it was important for the City to decide if there would be a substation located on the west side. One-third of his staff comes from the west side so their response time would be delayed.

Sid Young said in order for him to feel comfortable, the City would need to focus on building a fire station on the west side.

Max Forbush said providing fire men and other operational and capital costs for a west side substation would be huge to the City.

Susan Holmes said she would only feel comfortable approving the T-intersection if the fire department was expanded at the same time.

Mayor Connors referred to the Creek Lane chicane. He said the nook that was added to the road to provide traffic calming would add several minutes to motorists travels. He said the dramatic rerouting of traditional traffic patterns would generate significant negative reaction from the residents.

Chadwick Greenhalgh said a route was needed that does not go through residential neighborhoods and in front of the public schools. The master plan calls for a continuous connection from west Farmington to the freeway. He asked what the solution would be if the T-intersection were not allowed.

Mayor Connors said if the T-intersection is approved, West State Street would have to be rebuilt which would have a greater impact to Mr. Greenhalgh's neighborhood.

Larry Haugen said he favored an at-grade intersection since it would allow east and west Farmington to be one community.

Ron Mortimer said there could be a 4-legged intersection but the Meham house would have to be relocated and it would be a separate cost to the City.

Max Forbush said if the project was not done using Federal funds, the historic preservation guidelines would not apply. He asked if the concept would be possible if the Clark Lane Historic District were to agree to the concept of losing the Meham home.

Ron Mortimer reported that Cory Pope said if the improvements were done at a later date, he would do what he could to secure the funding. UDOT wants to proceed at the cheapest possible cost. Mr. Mortimer said he believed one of the intersections would likely be complete within fifteen years.

Susan Holmes said the City Council needs to decide between a T-intersection, an at-grade intersection, the current roadway system, or the push off.

David Petersen said the T-intersection would encourage the Frontage Road as the BRT alignment.

The City Council requested that UDOT determine the preliminary costs for the alternatives. A public hearing could then be scheduled.

Susan Holmes asked that the Fire Chief research the cost to have a substation in west Farmington.

REQUEST TO AMEND FARMINGTON GREENS MASTER PLAN TO INCLUDE LDS CHURCH CHAPEL SITE - GERRY TULLEY (Agenda Item #9)

Max Forbush said they received a letter from Proterra which stated that they would like to discuss the park construction and street lights issue for Farmington Greens, which were part of the original agreement. He suggested allowing 176 lots but require Proterra to post a bond for the park improvements. If the lights were not bonded for, they would also need to be included.

Gerry Tulley said the money for the lights was in the account.

Max Forbush said the park would cost between \$200,000-\$300,000.

Gerry Tulley said he felt strongly about the material they presented in their letter. He said he has reviewed the PUD Ordinance and the Development Agreement and feels they have a solid proposal. He said the Development Agreement states they are entitled to build 176 homes.

Mr. Tulley said they have every intention to build the park but the Development Agreement does not state when the park should be built. They are paying the City's park fees and are also having to build their own park. He said he understood the basis for the City's point of view but felt Proterra had done more than their fair share.

Mayor Connors asked if Mr. Tulley was willing to compromise the amount of lots in the subdivision.

Gerry Tulley said he had approval for 176 homes. The only change to the subdivision would be the church site.

David Hale asked if the purchase agreement with the Church included a condition that a certain density would have to be allowed.

Gerry Tulley said they would sell the Church the property at the price Proterra paid for it. A caveat existed that the amount of homes would not be decreased.

David Hale said the developer had tied their contract with the Church to their increased density.

Gerry Tulley said the contract was tied to the stability of their density. The Church needs a chapel site and Proterra needs to build 176 homes.

Mayor Connors said the letter was disingenuous since it stated that Proterra would not benefit from the addition of the church. He said Proterra was asking the City to squeeze more homes onto less acreage.

Gerry Tulley said the Development Code defined density differently.

Mayor Connors said although he did not agree with Mr. Tulley's point of view, he was willing to compromise if Mr. Tulley was willing to negotiate.

Chuck Akerlow said they have an entitlement.

Mayor Connors said it was not the City who was asking for the amendment.

David Hale said the developer's motive was greed, not a generous contribution to the Church.

Chuck Akerlow said they had huge interest costs which accrued with the infrastructure.

Mayor Connors said he would be willing to meet with the developers if they were willing to compromise.

Gerry Tulley said he had a hard time understanding how his thoughts were so different from that of the City Council. He agreed to meet with the Mayor to further discuss the amendment.

CR ESTATES PLAT AMENDMENT REQUEST - J.R. WARNER (Agenda Item #10)

David Petersen said the City Council tabled consideration of the petition to allow City Staff time to conduct site research and to receive input from the City Attorney. He displayed a Schematic Plan showing the building sites. He said he walked the site and determined that if the lot were not split, the privacy of the future homeowner could be encroached upon by the Days since they had their home set back 100'. He said the City Attorney advised that if the City's ordinances were met, the City should not deny the applicant. The placement of the home should not be the issue when considering the plat amendment.

Mr. Petersen reviewed the Ordinance and said he did not think setbacks were good cause. He said the Council needed to determine whether the Days would suffer material damage since they may have purchased their property under the assumption that the lot sizes would remain unchanged.

Rick Dutson asked what could be considered “good cause” to amend the plat.

David Petersen said when the Day’s building permit was approved, the entire 2.8 acre parcel was one parcel. They did not buy into a platted subdivision. When the subdivision occurred, both the Days and the Warners signed for the new plat. **Mr. Petersen** did not think the Days would suffer material damage from the lot reconfiguration. Although the lots would be less than one acre, the roof tops would remain the same.

David Hale asked why the Planning Commission denied Mr. Warner’s request.

David Petersen said the Planning Commission assumed Mr. Day had an expectation as to how the subdivision would be configured. They were also concerned about the Day home being impacted by the lot split.

Mr. Petersen said the application meets the ordinance requirements so long as an open space waiver is granted. He reviewed the history of the waiver provision that originated in 1999. In 2001, the City Council amended the provision by stating that in order to receive a waiver, the applicant needs to provide the City with something in return.

Sid Young asked what the City would receive for the waiver.

David Petersen said the homeowners in the area signed Extension Agreements which stated that the property owners would pay for the road improvements within 90 days. It would be more cost effective for three homeowners to pay for the improvements. It could be considered a good cause to allow the lot split to help pay for the improvements.

Motion

Susan Holmes moved that the City Council allow the division of Lots 201 and 202 and that they grant the open space waiver for good and useful purpose.

The motion died for lack of a second.

Sid Young asked if something could be done to solve the Days’ concern of having their view obstructed.

Susan Holmes said she thought the waiver provision was designed for larger properties. She said waivers had been granted in the past without expecting something in return.

The City Council agreed to address Agenda Item #11 to allow time for City Staff to obtain a copy of the Ordinance.

AUTHORIZATION TO DEMOLISH HAZARDOUS MANUFACTURED VACANT HOME AT 577 SOUTH 1025 WEST - MAX FORBUSH (Agenda Item #11)

Max Forbush said the City had taken the necessary steps to have the building demolished but there would be cost issues associated with the demolition.

Motion

Rick Dutson moved that the City Council authorize City Staff to begin the process to demolish the structure. **Susan Holmes** seconded the motion, which passed by unanimous vote.

The City Council continued their discussion of Agenda Item #10.

David Petersen passed out the Open Space Waiver Ordinance.

Mayor Connors reviewed the requirements to grant a waiver.

Rick Dutson said the only good cause was that there would be three property owners to pay for the Extension Agreement improvements.

David Petersen suggested that the applicant place an easement over the canal. They could also provide generous trees in the park strips along Burke Lane in exchange for the 3/10th of an acre open space waiver.

Mayor Connors said the area could be considered a “special circumstance” due to the odd lot configurations that are caused by the D&RG railroad right-of-way.

Max Forbush said the applicant could provide a generous amount of trees, contribute to the Park Improvement Fund, or grant an adequate easement to the City.

The applicants said they would be willing to consider granting the easement.

Max Forbush said a 20' easement would be needed for access.

The City Council agreed to consider the item at another meeting to allow City Staff time to meet with the property owners.

MINUTE MOTION APPROVING BUSINESS OF CONSENT (Agenda Item #12)

Rick Dutson moved that the City Council approve the following items by consent as follows:

- 12-1. Ratification of Construction Bond Agreements previously signed by Mayor Connors.
- 12-2. Approval of Trails and Pathways Federal Grant Fiscal Assistance Agreement, as enclosed.
- 12-3. Assignment of Problems/Resolutions Committee to meet with Somerset HOA Board to discuss issues presented in their letter as enclosed.
- 12-4. Declaration as "Surplus Property" with authorization to sell the same a 1996 Ford Police Car as requested by Chief Hansen.
- 12-5. Approval fo Exhibit document to Todd and Wendy Rice Agreement as enclosed.
- 12-6. Approval of Public Improvements Extension Agreement with Evan and Karin Olsen as enclosed.
- 12-7. Ratification of Authorization to submit letter of intent to seek funding for potential street and trails projects in west Farmington as enclosed.
- 12-8. Approval of Surety Bond to guarantee installation of public improvements with Tom Stuart Construction. This bond is to ensure completion of public improvements at the ITRANSACT office building being constructed west of the Quantronix building and south of the Farmington Jr. High.
- 12-9. Approval of Computer Service Agreement with 3C Business Solutions as enclosed.

Susan Holmes seconded the motion, which passed by unanimous vote.

RESOLUTION ADOPTING WATER CONSERVATION POLICY - MAX FORBUSH
(Agenda Item #13)

Max Forbush said State Law requires that cities have a water conservation policy.

Motion

Susan Holmes moved that the City Council adopt RESOLUTION NO. __, A RESOLUTION ADOPTING THE FARMINGTON CITY WATER CONSERVATION PLAN.
David Hale seconded the motion which passed by unanimous vote.

MEMORANDUM OF UNDERSTANDING WITH DAVIS COUNTY, CENTERVILLE

**CITY, AND THE WEBER BASIN WATER CONSERVANCY DISTRICT WITH
RESPECT TO THE FUEL BREAK ROAD CONSTRUCTION - MAX FORBUSH
(Agenda Item #14)**

Max Forbush said the construction to extend Fuel Break Road from Farmington to Centerville had begun but there were issues that needed to be resolved. He referred to paragraph 1 which stated the following:

1. *The District will continue to be responsible to provide operation and maintenance of the Weber Basin Aqueduct access road....In the event representatives of the Cities deem it necessary that additional maintenance to the access road be provided, to facilitate emergency vehicles or the fuel break, the Cities have the right to grade, repair and maintain the access road as they deem necessary, at the expense of the Cities.*

Mr. Forbush said although he wasn't pleased with the wording of the agreement, there was likely nothing that could be done to change Weber Basin's position. Therefore he recommended that the City Council approve the Memorandum.

Motion

Susan Holmes moved that the City Council adopt MEMORANDUM OF UNDERSTANDING AMONG WEBER BASIN WATER CONSERVANCY DISTRICT, DAVIS COUNTY, FARMINGTON CITY, AND CENTERVILLE CITY FOR ASSIGNMENT OF CERTAIN CONSTRUCTION, OPERATION AND MAINTENANCE RESPONSIBILITIES FOR THE DAVIS AQUEDUCT ACCESS ROAD. **Sid Young** seconded the motion which passed by unanimous vote.

ORDINANCE ESTABLISHING 2006 CITY COUNCIL MEETING SCHEDULE - MAX FORBUSH (Agenda Item #15)

The City Council members discussed the 2006 City Council Meeting Schedule. They agreed to the following changes:

- The Ordinance title shall be changed to 2006 rather than 2005
- The July 5, 2006, meeting will not be held
- The first paragraph shall read "The Governing Body shall *generally conduct* two regular meetings per month which shall be held on the first and third Wednesday of each month, except as otherwise herein stated.

Motion

Susan Holmes moved that the City Council adopt ORDINANCE 2005-__, AN

ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR FARMINGTON CITY COUNCIL MEETINGS. **Rick Dutson** seconded the motion which passed by unanimous vote.

RESOLUTION PERTAINING TO VARIOUS PERSONNEL POLICIES

- **AMENDMENT TO EMPLOYEE RECOGNITION PROGRAM**
- **ADOPTION OF RETIREMENT HEALTH SAVINGS PLANS**
- **PROPOSED AMENDMENTS TO RETIREE INSURANCE BENEFITS, ANNUAL LEAVE CONVERSIONS, RETIREMENT BENEFIT OPTIONS FOR PART-TIME FIREMEN, AMENDMENTS TO LEGAL HOLIDAY LIST, POLICY CLARIFICATION OF THE TERM "REST PERIODS"**

(Agenda Item #16)

Amendment to Employee Recognition Program

Max Forbush said the amendment to the Employee Recognition Program would allow the Fire Department and Police Department to have a more tailored recognition program for their employees.

Motion

David Hale moved that the City Council adopt RESOLUTION NO. __, A RESOLUTION OF THE FARMINGTON CITY COUNCIL AMENDING THE FARMINGTON CITY EMPLOYEE RECOGNITION PROGRAM REGARDING SERVICE AWARDS FOR THE FIRE DEPARTMENT EMPLOYEES. **Larry Haugen** seconded the motion which passed by unanimous vote.

Rick Dutson asked how the \$600.00 Service Awards would be used.

Keith Johnson said it was the maximum annual amount that could be spent for the Service Award.

Max Forbush suggested that the \$600.00 amount be struck from the Resolution.

Proposed Amendments to Retiree Insurance Benefits, Annual Leave Conversions, Retirement Benefit Options for Part-Time Firemen, Amendments to Legal Holiday List, Policy Clarification of the Term "Rest Periods"

Max Forbush said the Personnel Committee suggested that the City reinstate the Veteran's Day holiday and eliminate the Columbus Day holiday.

Motion

David Hale moved that the City Council adopt RESOLUTION NO. __, A RESOLUTION AMENDING SUBSECTION 9.060 (A) OF THE FARMINGTON CITY PERSONNEL POLICIES AND PROCEDURES REGARDING HOLIDAYS AND ENACTING SECTION 11.035 OF THE SAME REGARDING REST PERIODS. **Rick Dutson** seconded the motion which passed by unanimous vote.

Adoption of Retirement Health Savings Plans

Max Forbush said this Plan would be a better and less expensive way to provide post retirement health benefits since the City is subject to changes to the General Accounting Standards. The plan provides eligible employees the opportunity to participate with the City in building individual health savings accounts preparatory to retirement. The plan also allows for all employees and elected officials to participate on a voluntary basis except for seasonal employees. In order to implement the new plan, a number of sections in the City's personnel policies would need to be amended. The amendments are recommended by the Personnel Committee.

Sid Young said the benefits would provide incentive for employees to prepare for retirement.

Max Forbush said the City would only contribute to the fund for ten years. Employees, including elected officials, would have the option to contribute. He said the police department is exempt because the police retirement which is mandatory, has a contribution rate by the City for higher than regular employees.

Motion

Sid Young moved that the City Council adopt RESOLUTION NO. __, A RESOLUTION AMENDING SUBSECTION 9.010 (C) OF THE FARMINGTON CITY PERSONNEL POLICIES AND PROCEDURES REGARDING EMPLOYEE RETIREMENT HEALTH SAVINGS ACCOUNTS, AMENDING SUBSECTION 9.030 (D) REGARDING ANNUAL LEAVE, ENACTING SUBSECTION 9.030(H) OF THE SAME REGARDING CONTRIBUTION OF ANNUAL LEAVE FOR RETIREMENT HEALTH SAVINGS PLAN, AMENDING SECTION 9.130 REGARDING RETIREMENT, AND AMENDING SUBSECTION 9.040(K) REGARDING SICK LEAVE. **Rick Dutson** seconded the motion which passed by unanimous vote.

Max Forbush said the City pays an annual administrative fee to provide health benefits to the fire department. He suggested setting up an incentive program which would only be offered to firemen who work 200 hours per year. The contribution breakdown would be as follows:

200-400 hours	8% contribution
400-800 hours	10% contribution
800 hours+	12% contribution

He believes the approach would improve the Fire Chief's ability to recruit fire fighters.

Motion

Max Forbush suggested that the resolution adopting the firemen's RHS plan be postponed until next council meeting to allow for a more thorough review with the ICMA Plan Administrator to ascertain whether or not the proposed incentive provision mentioned above would meet IRS requirements. The City Council concurred.

RESPONSE TO POST OFFICE LETTER (Agenda Item #17)

Max Forbush said the City Council agreed at the last meeting to submit a letter to the Post Office. Since that time, a letter was received by Ken McArthur of the Postal Service. Mr. Forbush asked the Council Members to consider whether the City should submit another letter. No action was taken.

AUTHORIZATION TO MAKE IMPROVEMENTS TO UPPER COMPTON BENCH DETENTION BASIN - MAX FORBUSH (Agenda Item #18)

Max Forbush said Mr. Narcissian has previously requested the City to vacate a portion of the City land on the hillside to expand his lot. In order to proceed, the City's detention basin outlet needs to be remodeled so it would operate better. The cost is approximately \$4,000.00. He suggested that the funds be allocated from the Council Contingency Fund.

Motion

Rick Dutson moved that the City Council authorize an expenditure up to \$4,000 from the City Council contingency account to make improvements to the detention basin. **Sid Young** seconded the motion which passed by unanimous vote.

Sid Young said it would be helpful to review the status of the Council Contingency Fund quarterly.

MAYORAL APPOINTMENTS CONSIDERATIONS

Max Forbush said the City Council needed to consider appointments for the Planning Commission, Central Davis Sewer District, and the Eagle Scout Project Supervisor.

Mayor Connors said interviews were held with Planning Commission applicants. They decided that Rick Wyss will fill a four year term, Andrew Hiller will fill a one year term, and Cory Ritz will fill a three year term to provide the Commission with a sense of continuity and experience.

Max Forbush said there will be an opening on the Board of Adjustments. He said Brett Gallagher could be considered for the position.

Motion

David Hale moved that the City Council approve the Mayor's nominations. **Rick Dutson** seconded the motion which passed by unanimous vote.

Rick Dutson said he thought the Planning Commission Chairman should be an appointed position.

David Hale said the Planning Commission Chairman should be appointed by the Mayor. He suggested that other committees also have appointed Chairs.

Mayor Connors suggested that City Staff seek the advise of the City Attorney as to whether the Chairman should be appointed. He also suggested that City Staff research the standard of other cities. He said he wanted normal procedures to be followed since he was nearing the end of his term.

The City Council agreed to appoint Pat Achter to the Historic Preservation Commission.

Motion

Susan Holmes moved that the City Council appoint Pat Achter to the Historic Preservation Commission. **Sid Young** seconded the motion which passed by unanimous vote.

Max Forbush said he received a letter from Howard Whiteways stating he was interested in filling the Eagle Scout Project Coordinator position. He said Mr. Whiteways was very experienced and had strong references.

Motion

Sid Young moved that the City Council appoint Howard Whiteways as the Eagle Scout Project Coordinator. **Rick Dutson** seconded the motion which passed by unanimous vote.

Mayor Connors said he received a letter from the sewer district stating they would like **Susan Holmes** to be reappointed as a member of the Sewer District. He asked that City Staff

research when the Sewer District appointments have occurred in the past.

MISCELLANEOUS

Susan Holmes said there is a trail by the south park that has water leaks and needs lights replaced.

Sid Young said he was told by Kim Wallace that there are five property owners on the Fire Break Road who have not signed their agreements. He said the agreements should be solidified. He said he would like to meet with Steve White.

Max Forbush said he would be willing to meet with **Sid Young** and Steve White.

ADJOURNMENT

Rick Dutson moved that the meeting adjourn at 11:35 P.M.

Margy Lomax, City Recorder
Farmington City